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HOUSE BILL 748

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Keith J. Gardner

AN ACT

RELATING TO ELECTIONS; PROVIDING FOR INVALIDATION OF A
NOMINATING PETITION IF THE PETITION WAS ALTERED TO CHANGE THE
OFFICE FOR WHICH THE CANDIDATE SEEKS NOMINATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 1-8-31 NMSA 1978 (being Laws 1973,
Chapter 228, Section 5, as amended) is amended to read:

"1-8-31. PRIMARY ELECTION LAW--NOMINATING PETITION--
SIGNATURES TO BE COUNTED.--

A. A person who signs a nominating petition shall
sign only one petition for the same office unless more than one
candidate is to be elected to that office, and in that case a
person may sign not more than the number of nominating
petitions equal to the number of candidates to be elected to
the office.

.164565.2

underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 B. A person who signs a nominating petition shall
2 indicate [~~his~~] the person's residence as [~~his~~] the person's
3 address. If the person does not have a residential address,
4 [~~he~~] the person may provide [~~his~~] the person's mailing address.

5 C. A signature shall be counted on a nominating
6 petition unless there is evidence presented that the person
7 signing:

8 (1) was not a registered member of the
9 candidate's political party ten days prior to the filing of the
10 nominating petition;

11 (2) failed to provide information required by
12 the nominating petition sufficient to determine that the person
13 is a qualified voter of the state, district, county or area to
14 be represented by the office for which the person seeking the
15 nomination is a candidate;

16 (3) has signed more than one petition for the
17 same office, except as provided in Subsection A of this
18 section, or has signed one petition more than once;

19 (4) is not of the same political party as the
20 candidate named in the nominating petition as shown by the
21 signer's certificate of registration; or

22 (5) is not the person whose name appears on
23 the nominating petition.

24 D. A nominating petition, including all signatures
25 on the petition, shall be invalid if the petition is altered to

.164565.2

